

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97391

Akio SUGIHARA, et al.

Appln. No.: 10/594,127

Group Art Unit: 1625

Confirmation No.: 8975

Examiner: Niloofar RAHMANI

Filed: September 25, 2006

For: COMPOSITION OF SOLIFENACIN OR SALT THEREOF FOR USE IN SOLID
FORMULATION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith copies of Communications from a foreign patent office in related applications (International Search Reports and International Preliminary Reports on Patentability issued in PCT/JP2004/016196, counterpart application to co-pending U.S. serial no. 10/975,210, and in PCT/JP2006/314250, counterpart application to co-pending U.S. serial no. 11/458,582) citing such documents, and indicating the degree of relevance found by the foreign patent office. Applicant also encloses herewith a copy of a European Third Party Observation issued July 27, 2010 in counterpart European application no. 05721391.0, citing listed documents nos. 13-15, and indicating the degree of relevance found by the European Patent Office.

Additionally, Applicant states that JP-A-2000-514830, JP-A-06-219939, JP-A-06-316536, and JP-A-2002-272817 are counterpart applications to WO 98/30209, EP 0473431, EP 0459695, and EP 1219291, respectively. EP 1219291 was previously submitted as part of the IDS filed on December 29, 2009, and thus is not being listed in the present IDS.

Also, WO 2005/039542, WO 02/096392, and JP-A-2004-026675, cited and discussed in the International Search Reports and International Preliminary Reports on Patentability issued in PCT/JP2004/016196 and PCT/JP2006/314250, were previously submitted as part of the IDS filed on December 29, 2009, and thus are not being listed in the present IDS.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: August 5, 2010

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